IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 12550 of 2007(R)

PETITIONER:

P.V.VIJAYAKUMAR, S/O.K.VASU,
PUTHUKULANGARA REVATHI BHAVANAM,
KURATTISSERY, MANNAR.

BY ADV. SRI.S.SUBHASH CHAND

RESPONDENTS:

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1. MANNAR GRAMA PANCHAYAT,
OFFICE OF THE MANNAR GRAMA PANCHAYAT (SPECIAL GRADE), MANNAR P.O., ALAPPUZHA REPRESENTED BY ITS SECRETARY (SPECIAL GRADE).

2. SECRETARY (SPECIAL GRADE),
MANNAR GRAMA PANCHAYAT, OFFICE OF THE MANNAR GRAMA PANCHAYAT (SPECIAL GRADE), MANNAR P.O., ALAPPUZHA.

BY ADV.SRI.M.R.RAJENDRAN NAIR
ADV. SRI.M.R.HARIRAJ
SMT.REKHA VASUDEVAN
SRI.SURAJ.S
SRI.P.A.KUMARAN
SMT.VINEETHA B.
SRI.S.NITHIN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	TRUE COPY OF THE PHOTOGRAPH INDICATING COLLECTION OF RAIN WATER AND DRAINING OF THE SAME INTO THE DRAIN SITUATED ON THE ROAD SIDE.
EXT.P1(A)	TRUE COPY OF THE PHOTOGRAPH INDICATING COLLECTION OF RAIN WATER AND DRAINING OF THE SAME INTO THE DRAIN SITUATED ON THE ROAD SIDE
EXT.P1(B)	TRUE COPY OF THE PHOTOGRAPH INDICATING COLLECTION OF RAIN WATER AND DRAINING OF THE SAME INTO THE DRAIN SITUATED ON THE ROAD SIDE
EXT.P2	TRUE COPY OF THE NOTICE/ORDER DTD. NIL ISSUED TO THE PETITIONER BY RESPONDENT NO.2
EXT.P3	TRUE COPY OF THE REPRESENTATION DTD. 1-3-07 SUBMITTED BY THE PETITIONER BEFORE RESPONDENTS 1 AND 2.

/True Copy/

K. M. JOSEPH, J.

W.P.C. NO. 12550 OF 2007 R

Dated this the 6th July, 2007

JUDGMENT

I heard the learned counsel for the petitioner and the respondents. An interim order has been passed by this Court, which reads as follows:

> *"Heard Mr. S. Subhash Chand, counsel for the petitioner. He makes out a prima facie case. Admt. Issue Notice. In the meanwhile, there will be an interim order directing the respondents to permit the petitioner to drain water (rain water alone) collected in the roof-top of his residential building through PVC pipes provided by him into the road side drain provided on the side of Thiruvalla - Kayamkulam PWD Road and continue to do the same for a period of three months."*

2. It is submitted by counsel for respondents that the interim order has been complied with and that it may be made absolute. He only submits that if any pollutants other than rain water are drained, liberty may be reserved on the respondents to

take action. The Writ Petition is disposed of making the interim order absolute and reserving right to the respondents to take appropriate action in accordance with law, in case the interim order is violated.

K. M. JOSEPH, JUDGE

kbk.